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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,818	10/03/2003	Donald T. Cameron	C03-27	7961

7590 05/04/2004

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EXAMINER

PASSANITI, SEBASTIANO

ART UNIT	PAPER NUMBER
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3711

DATE MAILED: 05/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/676,818

Applicant(s)

CAMERON ET AL.

Examiner

Sebastiano Passaniti

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

This Office action is responsive to communication received 10/03/2003 – application papers filed.

This application is a DIV of 10/136,950, filed 05/02/2002, now U.S. Patent No. 6,663,496.

Claims 1-20 are pending.

Following is an action on the MERITS:

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 8, 9, 16 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Mick. As to claim 1, note Figure 3 detailing a putter head with a toe, heel and planar face (26). A removable reflecting surface (28) is attached to the front face. Note light source (70) that directs light towards the reflecting surface (28). Note that the reflected light is directed towards a reference device or backdrop (60). As to claim 2, light (70) is a laser source (col. 3, line 23). As to claim 3, reflecting surface (28) is a mirrored surface (col. 2, line 55). As to claim 4, the reference device or backdrop (60)

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may be considered to be part of a ruler or graph paper, as calibration marks on the backdrop help orient the reflected light. As to claim 5, the laser light is collimated. As to claim 8, note that the adhesive layer (29) may serve as the claimed shim. In other words, the adhesive layer provides a slight spacing between the reflecting surface and the planar striking face of the putter head. As to claim 9, the location of the reflected beam is checked with respect to the hole (62) on the backdrop (60). If the golfer's aim is not accurate, the putter set-up is accordingly altered. As to claims 16 and 20, the putter, light source, reference device and central location are outlined, *supra*. No further explanation is deemed necessary, here.

Claims 6, 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mick in view of Koehler and Rozmus. Mick shows every feature claimed with the exception of a loft of between 2 and 7 degrees. Putters are normally provided with a slight loft to provide a slight amount of lift to a struck ball. Koehler shows it to be old in the art to provide a putter face with a 1 to 5 degree loft (col. 3, lines 1-4). In addition, the teaching reference to Rozmus shows a loft of about 4 degrees for the striking face of a putter (col. 2, line 35 and Figure 4). In view of the patents to Koehler and Rozmus, it would have been obvious to modify the device in the cited art reference to Mick by providing the putter with a slight loft, the motivation being to provide a desirable amount of lift to a struck ball.

Claims 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mick in view of Finney. To have substituted the focused laser used by Mick with a beam splitter in order to take advantage of another common light source would have been obvious in

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view of the patent to Finney, which shows it to be old in the art to provide a beam splitter in a golf practice device so that light is reflected in two directions to assist a golfer in aligning the putter.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mick in view of Finney and Perkins. Mick in view of Finney has been discussed above. To have further modified the device in the cited art reference to Mick by including a means for redirected light to also strike the surface below the putter head for better aim by the golfer would have been obvious in view of the patent to Perkins, which shows it to be old in the art to redirect light towards a second reference device (40) below the strike face or towards a first reference device (18) in order to help a golfer align the putter face with an intended target.

Claims 14 and 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mick in view of Perkins. To have modified the device in the cited art reference to Mick by including a means for redirected light to also strike the surface below the putter head for better aim by the golfer would have been obvious in view of the patent to Perkins, which shows it to be old in the art to redirect light towards a second reference device (40) below the strike face or towards a first reference device (18) in order to help a golfer align the putter face with an intended target.

Claims 12, 13, 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mick in view of Thackrey. Mick fails to show a photosensitive array and output device, as claimed. Thackrey shows it to be old in the art to include a sensor array (4) that may optionally be attached to a microprocessor means to record

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and recall data about the reflected light registered by the sensor array. See col. 4, lines 31-48, Figure 1 and the abstract in Thackrey. In view of the patent to Thackrey, it would have been obvious to modify the device in the cited art reference to Mick by substituting a photosensitive array for the backdrop (60) for collecting more accurate results about the reflected light and additionally including an output source for monitoring a golfer's progress.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the reference device (claim 4), shim (claim 8), photosensitive array (claims 12, 18), output device (claims 13, 19), second reference device (17) and the method steps (claims 1-15) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See Figures 5a-5c in Rusnak. Observe Figures 6 and 8 in Lin. Norwood and Hooker show light sources, of interest. See Figure 2 in Walmsley. Elkins and Mackniesh show targets, of interest. Note reflecting device (18) in Logsdon. Gobush, Tindale and Torriano show putter with light sources, of interest. Ehmke shows a reflecting surface on the club head.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sebastiano Passaniti whose telephone number is 703-308-1006. The examiner can normally be reached on Mon-Fri (6:30-3:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Vidovich can be reached on 703-308-1513. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Sebastiano Passaniti
Primary Examiner
Art Unit 3711

S.Passaniti/sp
May 1, 2004